

AMENDED IN ASSEMBLY JANUARY 13, 2006

AMENDED IN ASSEMBLY JANUARY 4, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 49

Introduced by Assembly Member Benoit

December 6, 2004

An act to repeal Section 44625.7 of, and to repeal and add Sections 44265.8 and 44265.9 of, the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

AB 49, as amended, Benoit. Teacher credentialing: CBEST: exemption.

(1) Existing law requires the Commission on Teacher Credentialing to issue a 2-year nonrenewable preliminary specialist instruction credential, solely for the purpose of instructing deaf or hearing-impaired pupils, to any prelingually deaf, as defined, candidate, upon medical or other appropriate professional verifications of that condition, if the candidate meets certain minimum requirements for the credential. The credential is limited to teaching pupils who are enrolled in state special schools or in special classes for pupils with hearing impairments.

Existing law requires the commission to issue a 2-year services credential with a specialization in pupil personnel services, solely for the purpose of providing services as a school counselor, school psychologist, or school social worker for deaf and hearing-impaired pupils, to any prelingually deaf candidate, upon medical or other appropriate professional verification of that condition, if the candidate meets specified minimum requirements. Existing law limits the holder

of the credential to providing these services at all grade levels to pupils who are enrolled in state special schools or in special classes for pupils with hearing impairments.

This bill, instead, would require the commission to issue a 2-year preliminary teaching credential or preliminary services credential to a candidate who is prelingually deaf and meets all of the requirements in law for the *full*, pertinent 5-year teaching or services credential, except that the candidate would be exempted from compliance with certain state basic skills proficiency testing requirements. The bill would limit the holder of the credential to teaching or providing services to deaf and hearing-impaired pupils who are enrolled in state special schools or in special classes for pupils with hearing impairments.

The bill would require the commission to develop criteria to verify the proficiency of persons credentialed under the bill. The bill would require the employing school district, county office of education, or state special school to appoint a 3-person panel, as specified, to verify the proficiency of holders of these credentials using the criteria the commission develops. The bill thereby would establish a state-mandated local program by imposing new requirements on school districts and county offices of education. The bill would require the commission, upon the employing local or state education entity's verification of proficiency, to issue a teaching credential for the remainder of the preliminary period and limited to the instruction of deaf and hearing-impaired pupils enrolled in state special schools or in special classes, or a services credential for the remainder of the preliminary period and limited to the provision of services to deaf and hearing-impaired pupils enrolled in state special schools or in special classes.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 44265.7 of the Education Code is
2 repealed.

3 SEC. 2. Section 44265.8 of the Education Code is repealed.

4 SEC. 3. Section 44265.8 is added to the Education Code, to
5 read:

6 44265.8. (a) The Commission on Teacher Credentialing shall
7 issue a two-year nonrenewable preliminary teaching credential or
8 preliminary services credential to a candidate who is prelingually
9 deaf and meets all of the requirements in law for the *full*,
10 pertinent five-year teaching or services credential *pursuant to*
11 *paragraph (2) of subdivision (a) of Section 44251*, except that the
12 candidate is exempt from compliance with the state basic skills
13 proficiency testing requirements in Section 44252 and
14 subdivision (b) of Section 44830.

15 (b) A credential issued under this section authorizes the holder
16 to teach or provide services, as authorized by the credential, only
17 to deaf and hearing-impaired pupils who are enrolled in state
18 special schools or in special classes for pupils with hearing
19 impairments.

20 (c) For purposes of this section “prelingually deaf” means
21 having suffered a hearing loss prior to three years of age that
22 prevents the processing of linguistic information through hearing,
23 with or without amplification, if the condition is verified through
24 medical or other appropriate professional means.

25 SEC. 4. Section 44265.9 of the Education Code is repealed.

26 SEC. 5. Section 44265.9 is added to the Education Code, to
27 read:

28 44265.9. (a) The Commission on Teacher Credentialing shall
29 develop criteria to verify the proficiency of any holder of a
30 credential issued under Section 44265.8 in performing the
31 essential functions of his or her position.

32 (b) The school district, county office of education, or state
33 special school that employs a holder of a credential issued under
34 Section 44265.8 shall appoint a three-person panel to verify
35 proficiency using the criteria the commission develops for this
36 purpose. The panel shall report its findings to the employing
37 school district, county office of education, or state special school,
38 which may adopt those findings.

1 (c) The panel appointed pursuant to subdivision (b) shall
2 consist of the following:

3 (1) A school administrator selected by school administrators of
4 the employing school district, county office of education, or state
5 special school.

6 (2) A parent of a deaf or hearing-impaired child selected by a
7 school-related parent group.

8 (3) A teacher or school services provider who holds a
9 credential to teach or service deaf or hearing-impaired pupils
10 selected by teachers at the employing school.

11 (d) The employing school district, county office of education,
12 or state special school shall ensure that the panel completes the
13 verification of proficiency within two years after the issuance of
14 the credential issued under Section 44265.8.

15 (e) Upon verification of proficiency, as documented by the
16 employing school district, county office of education, or state
17 special school, the commission shall issue a ~~teaching~~ credential
18 for the remainder of the preliminary period *pursuant to*
19 *paragraph (2) of subdivision (a) of Section 44251* that is limited
20 to providing the instruction authorized by the credential to deaf
21 and hearing-impaired pupils enrolled in state special schools or in
22 special classes, or a services credential for the remainder of the
23 preliminary period that is limited to the provision of services
24 authorized by the credential for deaf and hearing-impaired pupils
25 enrolled in state special schools or in special classes.

26 (f) *Upon meeting the requirements for a professional clear*
27 *teaching or services credential, the applicant may apply through*
28 *their commission-approved professional clear program sponsor*
29 *for a professional clear credential that is limited to providing the*
30 *instruction or service authorized by the credential to deaf and*
31 *hearing-impaired pupils enrolled in state special schools or in*
32 *special classes.*

33 SEC. 6. If the Commission on State Mandates determines that
34 this act contains costs mandated by the state, reimbursement to
35 local agencies and school districts for those costs shall be made
36 pursuant to Part 7 (commencing with Section 17500) of Division
37 4 of Title 2 of the Government Code.